

Receipt



Bayer 10,139.3-KGB
Le A 31 651-US-03 LH/AA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Thomas Krahn, Wolfgang Pfaffhausen, et.
SERIAL NO. : 09/966,522
FILED : 09/28/2001
FOR : Masking background fluorescence and luminescence in
the optical analysis of biomedical assays

RECEIVED

JAN 16 2002

TECH CENTER 1600/2900

GROUP ART UNIT : 1641

EXAMINER :

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

October 26, 2001

REQUEST FOR CORRECTED FILING RECEIPT

SIR:

The filing receipt in the above-identified application was found to contain the

following errors: The 1st inventor's first name should read: THOMAS KRAHN
Domestic priority data as claimed by applicant should read:
this appln is a con of 09/194,099 11/20/1998
which is a 371 of PCT/EP97/02662 05/23/1997

The title should read: Masking background fluorescence and luminescence
in the optical analysis of biomedical assays

Please issue a corrected filing receipt at your earliest convenience.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS

By

Kurt G. Brisco
R g. No. 33,141



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Bayer 10/139.3-KGB

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/966,522	09/28/2001 ✓	1641	1416	Bayer 10,139.3-KGB	10	37	8

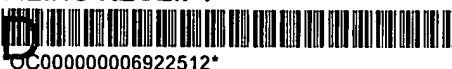


KARL G. Briscoe
Norris McLaughlin & Marcus, P.A.
30th Floor
220 East 42nd Street
New York, NY 10017 ✓

CONFIRMATION NO. 5606

FILING RECEIPT

RECEIVED



CC000000006922512*

JAN 16 2002

TECH CENTER 1600/2900

Date Mailed: 10/17/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Thomas
Thomas Krahn, Hagen, GERMANY; ✓
Wolfgang Paffhausen, Leverkusen, GERMANY; ✓
Andreas Schader, Essen, GERMANY; ✓
Martin Bechem, Wuppertal, GERMANY; ✓
Delf Schmidt, Wuppertal, GERMANY; ✓

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/194,099 11/20/1998

which is a 371 of PCT/EP97/02662 05/23/1997

Foreign Applications

GERMANY 196 21 312.6 05/28/1996 ✓

If Required, Foreign Filing License Granted 10/16/2001

Projected Publication Date: 01/24/2002

N n-Publication Request: No

Early Publication Request: No

Title

Masking of the background fluorescence and luminescence in the optical analysis of biomedical assays

Preliminary Class

435

**RECEIVED**

JAN 16 2002

TECH CENTER 1600/2900

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

FILE COPY

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09966522	09/28/01	KRAHN et al.	Bayer 10, 139.3-KGB

RECEIVED

JAN 16 2002

TECH CENTER 1600/2900

Kurt G. Briscoe
Norris McLaughlin & Marcus, P.A.
220 East 42nd Street, 30th Floor
New York, NY 10017

Date Mailed: 01/15/02

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Publication and General Rules Issues

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The articles such as "a", "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- ☐ The words "new", "improved", "improvement of", "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- ☐ The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- ☐ Amendments are not accepted in provisional applications. See 37 CFR 1.53(c).
- ☒ An amendment or Application Data Sheet is needed to make this change.
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. See MPEP 605.02.
- ☐ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

☐ Small entity status was previously claimed in this application. To notify the Office of a loss of entitlement to small entity status, see 37 CFR 1.27(g). To have a good faith error in claiming small entity status excused, see 37 CFR 1.28(c).

☐ The request for non-publication was not timely filed. A request for non-publication must be submitted upon filing of an application. The application is scheduled to be published on the date specified on the filing receipt.

☐ The request for non-publication has not been recognized because it is not conspicuous as required by 37 CFR 1.213.

☐ There was no prior request for non-publication in this application. The request to rescind the non-publication request will not be processed.

☐ Your request for non-publication will not be acknowledged because this application is not eligible for publication. Only utility and plant applications filed on or after November 29, 2000 are eligible for publication.

☐ The "Non-Publication Request" indicator is correct. If there was a proper request submitted at the time of filing, the notation on the filing receipt will be "Yes". If no such request was made, the notation will be "No".



Customer Service Center
Office of Initial Patent Examination
(703) 308-1202